

ORDINANCE NO. Z-05-04-28-9C1

AN ORDINANCE AMENDING ORDINANCE NO. Z-94-02-10-8F, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON NOVEMBER 22, 1994, AND AMENDED BY ORDINANCE NO. Z-97-04-10-13E ON APRIL 10, 1997 AND BY ORDINANCE NO. Z-00-04-13-9C3 ON APRIL 13, 2000, BY AMENDING THE DEVELOPMENT PLAN OF PUD NO. 18, APPROVED AND AMENDED BY THE CITY COUNCIL IN SAID ORDINANCES, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on November 22, 1994, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-94-02-10-8F, which established PUD No. 18, and

WHEREAS, on April 27, 1997, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-97-04-10-13E, which amended PUD No. 18, and

WHEREAS, on April 13, 2000, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-00-04-13-9C3, which further amended PUD No. 18, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas to amend the Development of PUD No. 18, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-94-02-10-8F on the 23rd day of March, 2005, following lawful publication of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that Ordinance No.Z-94-02-10-8F be amended, and

WHEREAS, on the 28th day of April, 2005, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No.Z-94-02-10-8F, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No.Z-94-02-10-8F promotes the health, safety, morals and general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Section 11.300, Code of Ordinances, 1990 Edition, City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That the City Council hereby determines that the proposed amendment to Planned Unit Development (PUD) District #18 meets the following goals and objectives:

- (1) The amendment to P.U.D. #18 is equal to or superior to development that would occur under the standard ordinance requirements.

- (2) The amendment to P.U.D. #18 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #18 does not have an undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.

II.

That Section 5.2 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F and amended in Ordinance No. Z-00-04-13-9C3, is hereby amended to read as follows:

5.2 Phase One

The permitted uses of Phase One include the construction of a 3600 square foot game room, clubhouse and concession building, two 18 hole miniature golf courses, a seven station batting cage, a maintenance shed and parking for 110 vehicles, all of the above being depicted on the preliminary site plan attached hereto and incorporated herein as Exhibit "C". The area known as the baseball field and designated as Area E on Exhibit "C" may be used as a Sporting Facility (referred to herein as the "Sports Park") with sports of a non-motorized nature, including but not limited to paintball, human-scale mazes and soccer.

III.

That Section 5.4 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F, is hereby amended to read as follows:

5.4 Phase Three

The permitted uses of Phase Three include the construction of a bumper boat ride and a small children's electric-powered car ride or other similar uses, as approved by the Director of Planning, all to be located within Area B, as depicted in Exhibit "C". A mini-cart race track utilizing only electric-powered race cars, situated north of the Sports Park and adjacent to the railroad right-of-way, shall be permitted within Area A, as depicted in Exhibit "C".

IV.

That Section 7.3 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F and amended in Ordinance No. Z-00-04-13-9C3, is hereby amended to read as follows:

7.3 Landscaping Requirements for Mini-cart Race Track

A six (6) foot high, solid cement wall, a four (4) foot high landscaped berm, and solid shrubbery shall be constructed along the western side of the mini-cart race track extending beyond the parking area. The area adjacent to the parking area shall have a black fence consisting of vertical rails, supported by two horizontal tubular rails, with each rail being one and one-half

inches (1½) in diameter, the lowest rail being one and one half (1½) feet in height and the highest rail being three (3) feet in height. Landscaping shall be located on the western side of the fence along the parking area. All landscape plans shall be approved by the Director of Planning.

V.

That Section 7 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F and amended in Ordinance No. Z-00-04-13-9C3, is hereby amended to add a new Section 7.4 to read as follows:

7.4 Landscaping Requirements for Sport Park

No additional landscaping is required for the Sports Park, provided all existing vegetation remains undisturbed.

VI.

That Section 13 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F and amended in Ordinance No. Z-00-04-13-9C3, is hereby amended to add a new Section 13.6 to read as follows:

13.6 Sports Park Lighting

New lighting to illuminate the Sports Park may not be added unless use of the existing lighting is discontinued. New lighting must meet the standards set forth in Section 11.409(5)(d) of the Round Rock Code of Ordinances and may not be located within the building setback required by Section 15.

VII.

That Section 15 of Development Plan of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F, is hereby deleted in its entirety, and replaced with a new Section 15, which shall read as follows:

15. Sports Park Building Setback

The Sports Park shall have a building setback from the western property line of seventy (70) feet.

VIII.

That Exhibit "C" of PUD No. 18, as approved in Ordinance No. Z-94-02-10-8F and amended in Ordinance No. Z-00-04-13-9C3, is hereby deleted in its entirety and replaced with the attached exhibit.

IX.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

Alternative 1.

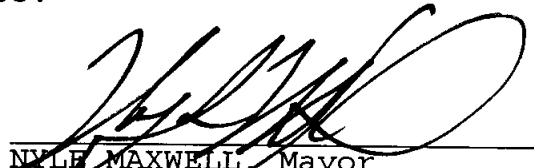
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 28 day of April, 2005.

Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 2005.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2005.



NYLE MAXWELL, Mayor
City of Round Rock, Texas







ATTEST:



Christine Martinez, City Secretary

EXHIBIT "C"

PROPERTY BOUNDARY LEGEND	
—X—	6' SECURITY FENCE TO MATCH EXISTING
—	RETAINING WALL CORRECT IN FENCE

LANDSCAPE LEGEND	
	SHADE TREES
	ORNAMENTAL TREE
	EVERGREEN SHRUBS
	ORNAMENTAL SHRUBS
	WINDING COVER
	LIGHT POLE

AREA A	PROPOSED MINI KART TRACK
AREA B	PROPOSED BUNKER FOUNTAIN ELECTRICALLY CONTROLLED CHILDREN'S CART RIDE
AREA C	PROPOSED OPEN RECREATION FIELDS
AREA D	PROPOSED ADDITIONAL PARKING
AREA E	SPORTS FIELDS

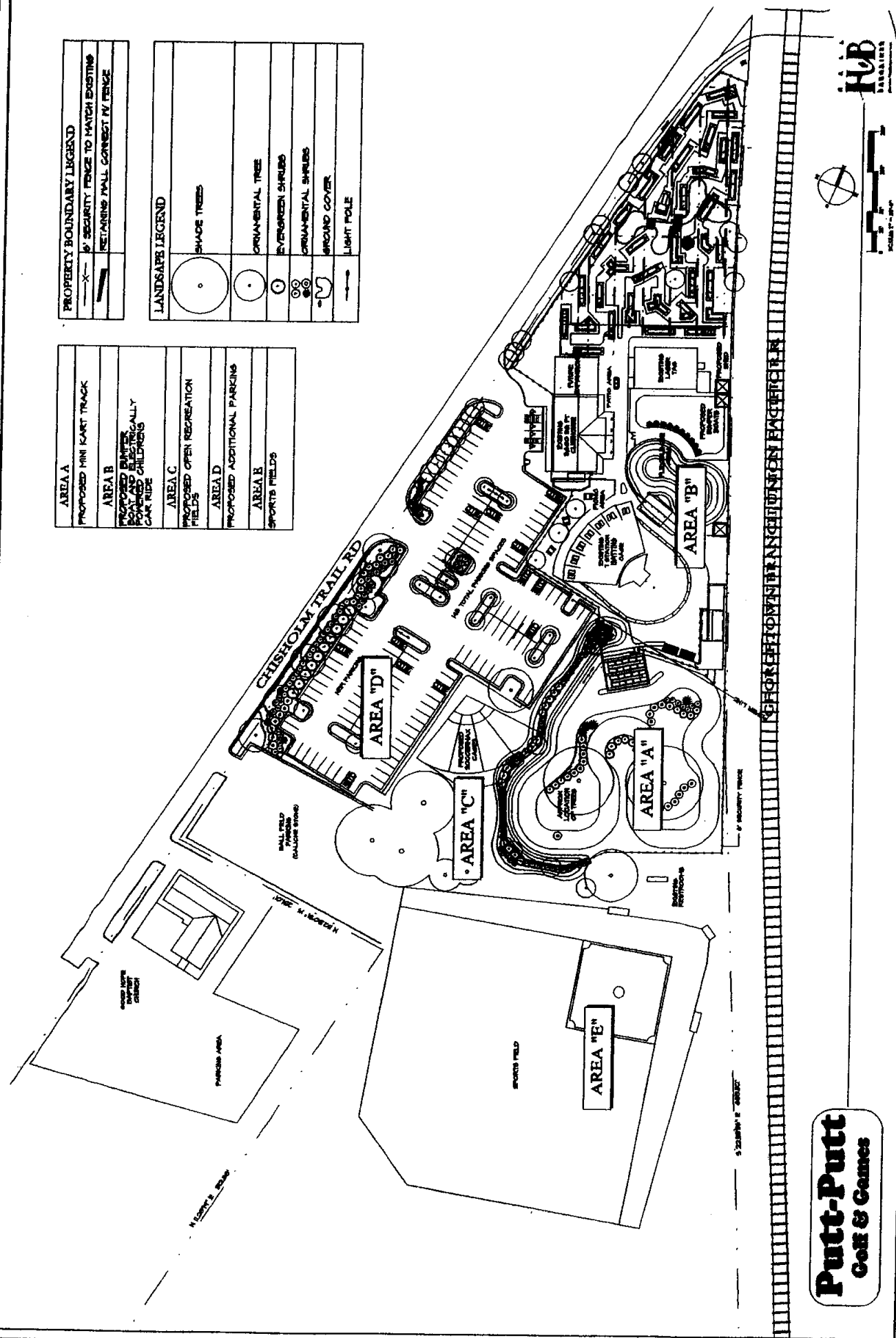


EXHIBIT "C"

PROPERTY BOUNDARY LEGEND	
—X—	6' SECURITY FENCE TO MATCH EXISTING
—	RETAINING WALL CORRECT IN FENCE

LANDSCAPE LEGEND	
○	SHADE TREES
●	ORNAMENTAL TREE
⊙	EVERGREEN SHRUBS
⊗	ORNAMENTAL SHRUBS
—	GROUND COVER
—	LIGHT POLE

AREA A
PROPOSED MINI KART TRACK
AREA B
PROPOSED BUMPER BOATS
PROPOSED CHILDREN'S CAR RIDE
AREA C
PROPOSED OPEN RECREATION FIELDS
AREA D
PROPOSED ADDITIONAL PARKING
AREA E
SPORTS FIELDS

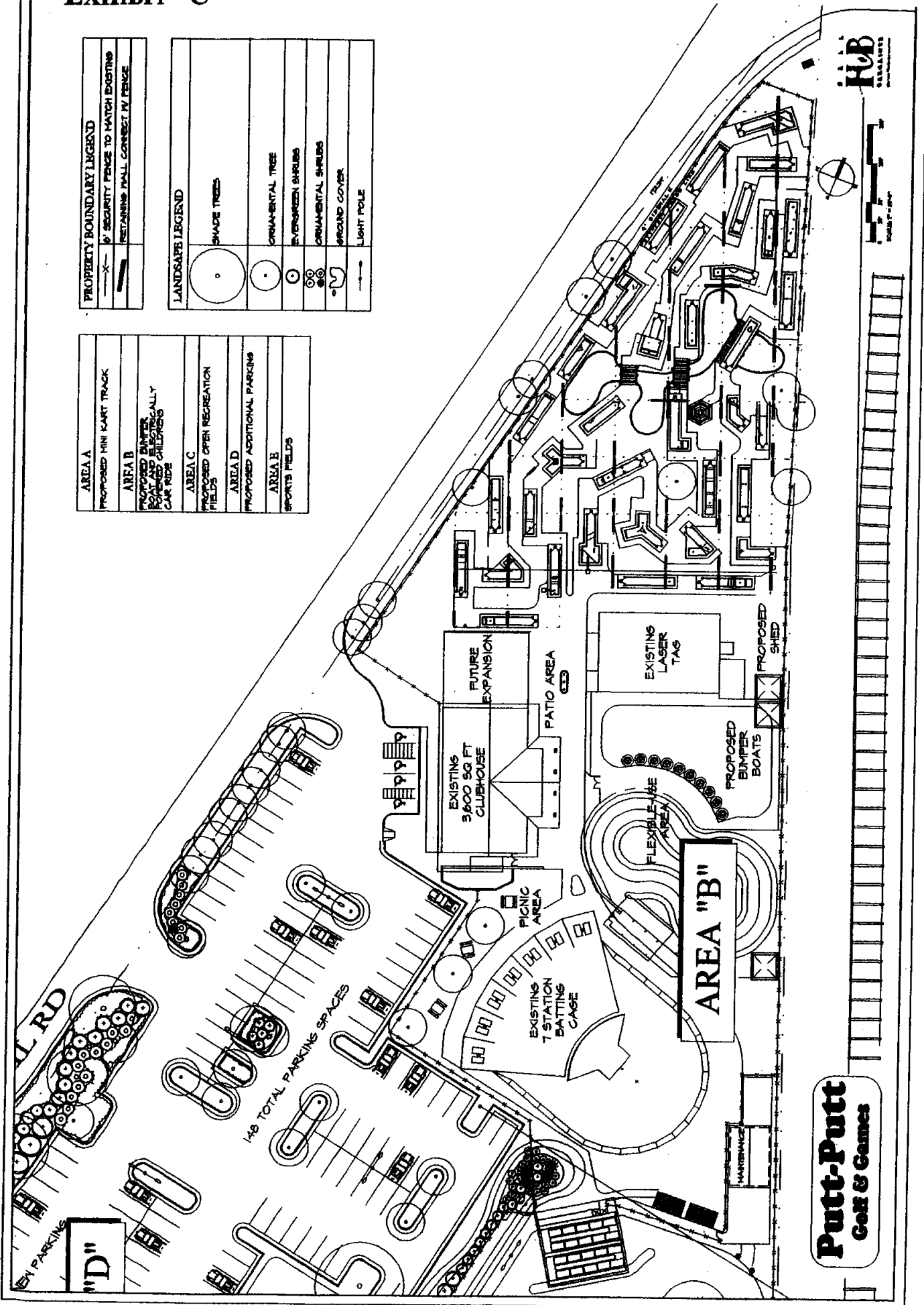
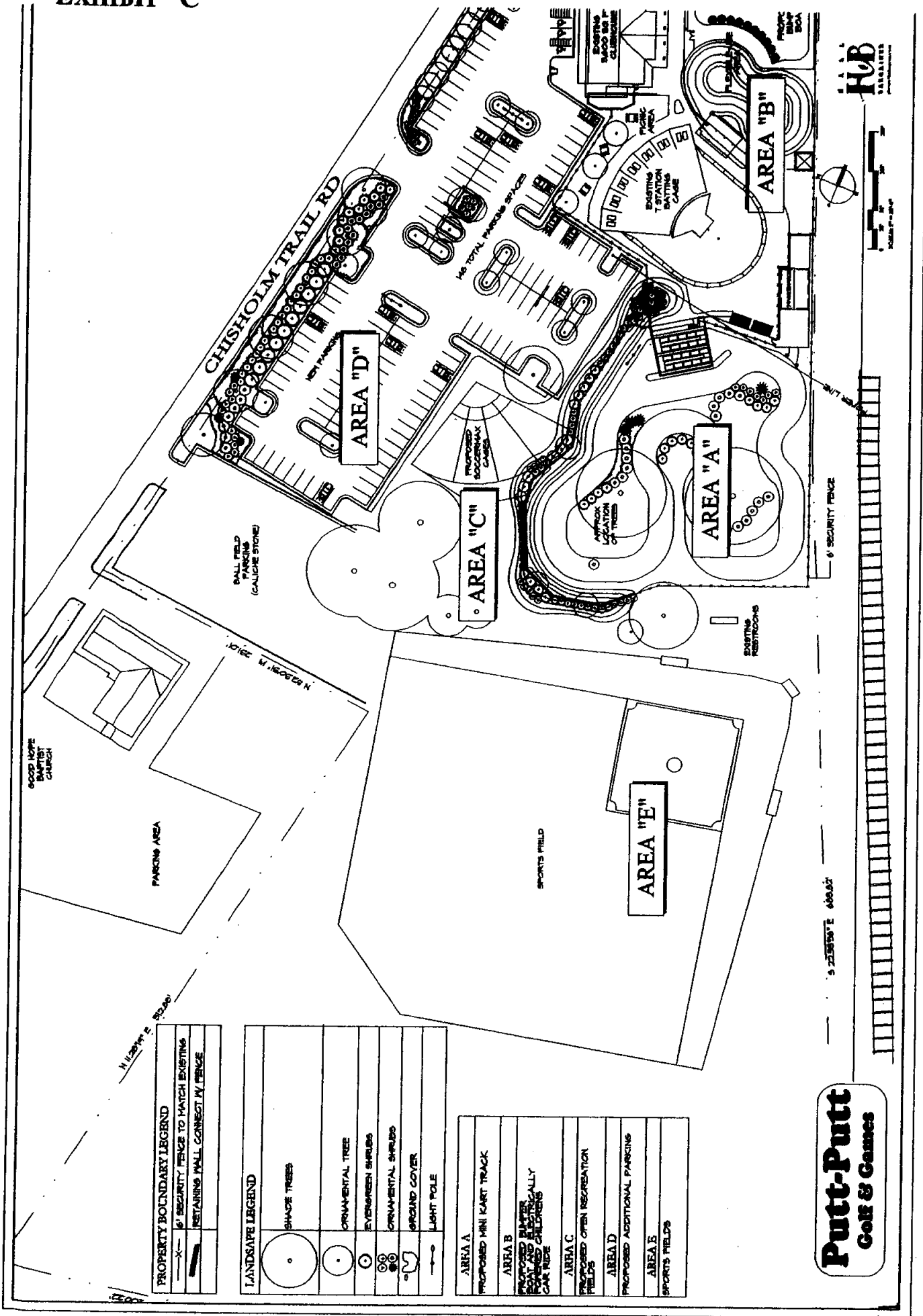
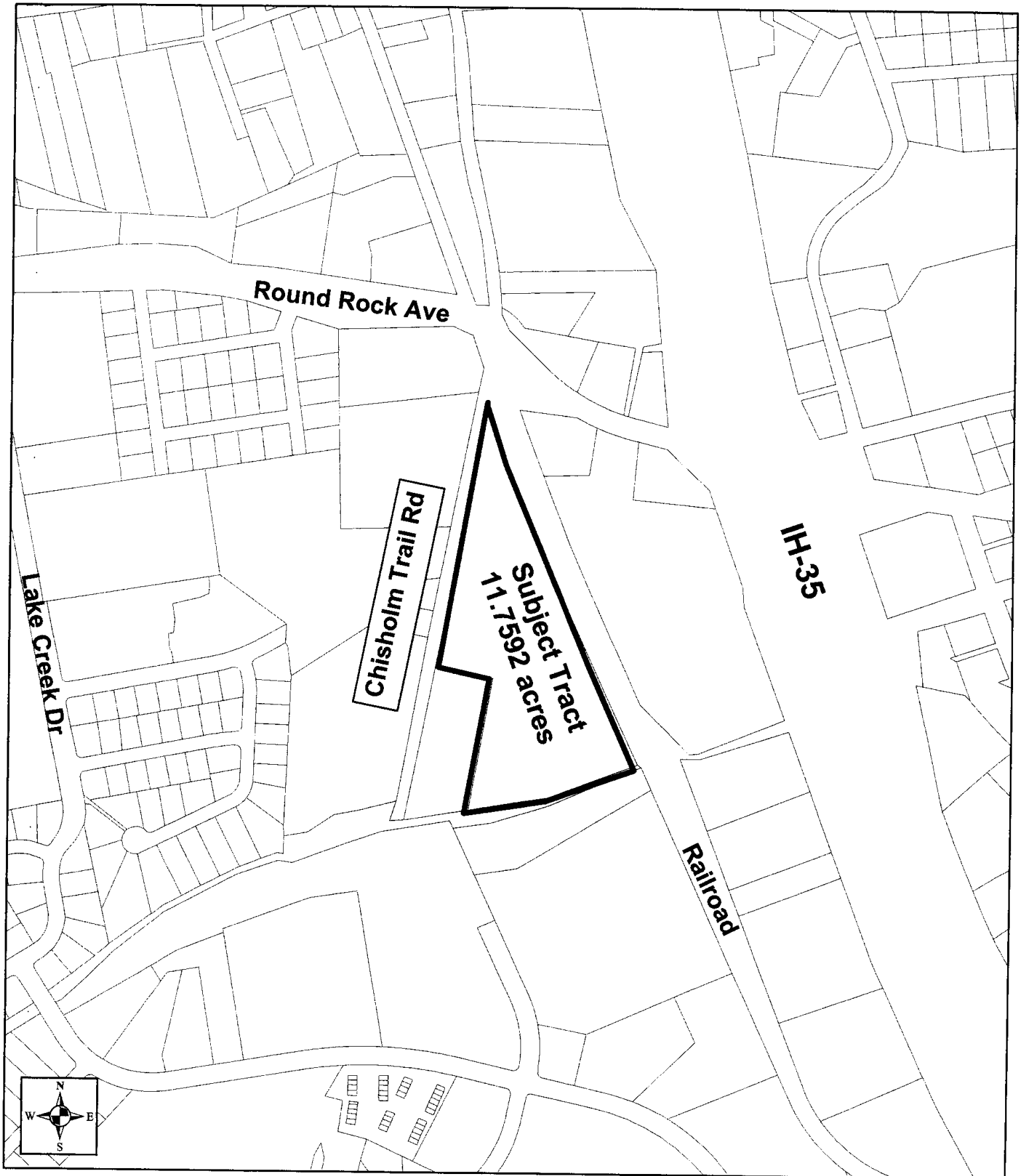


EXHIBIT "C"



Putt-Putt
Golf & Games

PUD 18 Amendment



PUTT PUTT PUD AMENDMENT HISTORY

	ORIGINAL PUD (1994)	AMENDMENT #1 (1997)	AMENDMENT #2 (2000)	AMENDMENT #3 (PROPOSED)
PERMITTED USES	<p>Phase One:</p> <ul style="list-style-type: none"> Gameroom Clubhouse Two 18-hole Miniature Golf Courses (one covered) Maintenance Shed Existing Baseball Field (to remain baseball field) <p>Phase Two:</p> <ul style="list-style-type: none"> Party Room/Play Area Volleyball Courts Horseshoe Pits Open Pavilion <p>Phase Three:</p> <ul style="list-style-type: none"> Bumper Boat Ride Upgrade to Baseball Field <p>Phase Four:</p> <ul style="list-style-type: none"> 18-hole Themed Miniature Golf Course 	<p>Phase One:</p> <ul style="list-style-type: none"> Gameroom Clubhouse Two 18-hole Miniature Golf Courses (one covered) Maintenance Shed Existing Baseball Field (to remain baseball field) <p>Phase Two:</p> <ul style="list-style-type: none"> Party Room/Play Area Volleyball Courts Horseshoe Pits Open Pavilion or <i>Enclosed Pavilion or Recreation Facility</i> <p>Phase Three:</p> <ul style="list-style-type: none"> Bumper Boat Ride Upgrade to Baseball Field <p>Phase Four:</p> <ul style="list-style-type: none"> 18-hole Themed Miniature Golf Course 	<p>Phase One:</p> <ul style="list-style-type: none"> Gameroom Clubhouse Two 18-hole Miniature Golf Courses (one covered) Maintenance Shed Existing Baseball Field (to remain baseball field) <i>Batting Cage</i> <p>Phase Two:</p> <ul style="list-style-type: none"> Party Room/Play Area Volleyball Courts Horseshoe Pits Open Pavilion or enclosed Pavilion or Recreation Facility <i>Addition to Gameroom and Clubhouse</i> <i>Open Recreation Fields</i> <p>Phase Three:</p> <ul style="list-style-type: none"> Bumper Boat Ride Upgrade to Baseball Field <i>Mini-Cart Race Track</i> <p>Phase Four:</p> <ul style="list-style-type: none"> 18-hole Themed Miniature Golf Course 	<p>Phase One:</p> <ul style="list-style-type: none"> Gameroom Clubhouse Two 18-hole Miniature Golf Courses Maintenance Shed Existing Baseball Field (to remain baseball field) <i>Batting Cage</i> <i>Existing Baseball Field to be used for non-motorized sports</i> <p>Phase Two:</p> <ul style="list-style-type: none"> Open Pavilion or enclosed Pavilion or Recreation Facility Addition to Gameroom and Clubhouse Open Recreation Fields <p>Phase Three:</p> <ul style="list-style-type: none"> Bumper Boat Ride Upgrade to Baseball Field Mini-Cart Race Track <p>Phase Four:</p> <ul style="list-style-type: none"> 18-hole Themed Miniature Golf Course

PUTT PUTT PUD AMENDMENT HISTORY

	ORIGINAL PUD (1994)	AMENDMENT #1 (1997)	AMENDMENT #2 (2000)	AMENDMENT #3 (PROPOSED)
HEIGHT	One-story not to exceed 30 ft., except for batting cage netting and baseball field lights not to exceed 50 ft.		One-story not to exceed 30 ft., except for batting cage netting and baseball field lights not to exceed 50 ft.	
LANDSCAPING			Added landscaping, including masonry wall, for Mini-Cart Race Track	<ul style="list-style-type: none"> Will replace a section of masonry wall with a fence that matches the perimeter fencing Will add a prohibition against disturbing any of the existing vegetation around the ball field
FENCING			Added fence around entire recreation area instead of just around miniature golf courses	
PARKING			Added spaces to Phase Three parking	
LIGHTING			Added provision for lighting around min-cart race track	<ul style="list-style-type: none"> Will prohibit new lighting at the ball field without first discontinuing the use of the existing lighting Will require that new lighting meet Zoning Ordinance requirements
INFRASTRUCTURE			Added some language regarding road and utility improvements	

PUTT PUTT PUD AMENDMENT HISTORY

	ORIGINAL PUD (1994)	AMENDMENT #1 (1997)	AMENDMENT #2 (2000)	AMENDMENT #3 (PROPOSED)
SETBACKS				Will add a 70 foot building setback along western property line (abutting neighboring church)
EXHIBIT C (SITE PLAN)			Updated Site Plan	Will update Site Plan